

# EXHIBIT 10

[REDACTED]  
April 09, 2019

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

STRIKE 3 HOLDINGS, LLC, a Delaware	)	
corporation,	)	
	)	
Plaintiff,	)	
	)	Case No.
vs.	)	2:17-cv-01731-TSZ
	)	
JOHN DOE, subscriber assigned IP	)	
address 73.225.38.130,	)	
	)	
Defendant.	)	

VIDEOTAPED DEPOSITION OF [REDACTED]

April 9, 2019

10:01 a.m.

Seattle, Washington

Reported by:  
Mark Hovila, CCR, CM  
CCR No. 2599  
Job No. 790669

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[REDACTED]  
April 09, 2019

1 A. My wife and I, my son off and on.

2 Q. No one else?

3 A. Yes. My brother-in-law.

4 Q. Anybody else?

5 A. Not -- not lived, no.

6 Q. Okay. Obviously you've had visitors at your  
7 house.

8 A. Lots of visitors, yes.

9 Q. And just for reference, what is your wife's  
10 first name?

11 A. [REDACTED]

12 Q. [REDACTED]. Okay. And your daughter's first  
13 name?

14 A. [REDACTED]

15 Q. [REDACTED] And the brother-in-law's first  
16 name?

17 A. [REDACTED]

18 Q. [REDACTED] Okay. Do you currently have an email  
19 address?

20 A. Yes, I do.

21 Q. What is that email address?

22 A. [REDACTED]

23 Q. Is that the only email address you currently  
24 have?

25 A. No.

April 09, 2019

1 A. 1998 or '99, in that frame.

2 Q. Was there a reason for you --

3 A. Just to fix them up and resell them.

4 Q. And that's something you to this day  
5 continue to do?

6 A. I'm -- well, within the last year or so I  
7 just started working on a couple of computers for my  
8 niece, to repair them.

9 Q. This is your niece -- your niece is -- how  
10 is your niece related to you? Is that your sons's --  
11 wait, I'm terrible with --

12 A. My brother's daughter.

13 Q. Your brother's daughter, okay. How old is  
14 she?

15 A. Probably 46, 47.

16 Q. Oh. Are there any young children in your  
17 house in the last few years?

18 A. By young --

19 Q. You know, 10 or below, or any children of  
20 that age?

21 A. No.

22 Q. Any early teen kids in the house in the last  
23 few years?

24 A. Well, they've visited, yes. The younger and  
25 the teens have visited. My grandson has stayed at the

██████████  
April 09, 2019

1 home on several days.

2 Q. Okay. So let me back up. So you have a  
3 daughter and a son?

4 A. Yes.

5 Q. Okay. Your son ██████, does he have any  
6 children?

7 A. No.

8 Q. Okay. And your daughter, you were kind of  
9 enough to give her name, so let me see. ██████ has  
10 children?

11 A. Yes.

12 Q. How old are her children?

13 A. 18 and 20.

14 Q. Okay, 18 and 20. All right. And one of  
15 those is the grandson you just mentioned?

16 A. Yes.

17 Q. Okay. So is the grandson the 18-year-old?

18 A. Yes.

19 Q. Okay. And the 20-year-old, is that a  
20 granddaughter?

21 A. Yes.

22 Q. Okay. And in the last couple years they've  
23 occasionally stayed over at the home?

24 A. Yes.

25 Q. All right. Do you know if they've watched

April 09, 2019

1 Q. Evening? What hours in the evening do you  
2 typically work on computers?

3 A. Sometimes it will start at 8 and it can run  
4 until 2 or 3 o'clock in the morning.

5 Q. Do you work on weekends on computers?

6 A. Sometimes.

7 Q. Do you have a sort of normal Monday through  
8 Friday schedule?

9 A. No.

10 Q. Okay. What are you generally doing during  
11 the days?

12 A. Working in the yard, working around the  
13 house. Shopping. Going to the garbage, you know.

14 Q. Is your son currently living at your house?

15 A. He's in and out.

16 Q. And on evenings in which he does not stay at  
17 your house do you know where he's staying?

18 A. No.

19 Q. Does your son have a job?

20 A. No.

21 Q. When is the last time your son was employed?

22 A. I would say a minimum of 15, maybe as long  
23 as 20 years ago.

24 Q. When he was employed what was he employed  
25 as?

April 09, 2019

1 yeah.

2 Q. Do you know if you -- do you have a  
3 recollection of what you did on the 4th of July in  
4 2017?

5 A. Nope.

6 Q. Do you know if your son was home for the 4th  
7 of July in 2017?

8 A. No, I don't.

9 Q. Okay. Do you have any recollection of what  
10 you did for the first 10 days in October in 2017?

11 A. No, I don't recall.

12 Q. Do you know if you were away from home in  
13 October of 2017 for any extended periods?

14 A. No, I don't.

15 Q. Do you know if you were away from home  
16 during the last week of October in 2017?

17 A. I can't remember, no.

18 Q. Okay. In 2017 were you home for  
19 Thanksgiving?

20 A. Yes.

21 Q. Okay. Was your son with you?

22 A. I believe he was, yes.

23 Q. Was there anybody else staying in the house  
24 around Thanksgiving?

25 A. The only one that I can think of is the

April 09, 2019

1 brother-in-law, [REDACTED], that was mentioned.

2 Q. What is [REDACTED] last name?

3 A. [REDACTED].

4 Q. Where does he live?

5 A. In Federal Way, I believe. I'm not --

6 Q. Is that here? Is that a street? I'm sorry,

7 I'm --

8 A. No, the city of Federal Way, I believe.

9 Q. Federal Way is a city?

10 A. He lives in the area. He's in an apartment,  
11 that's all I know.

12 Q. Do you know if you went on any trips or left  
13 your home in December of 2017?

14 A. I don't -- I don't recollect, but I don't  
15 believe so.

16 Q. Okay. Your Internet service provider from  
17 2016 to the present has been Comcast Cable, correct?

18 A. Yes.

19 Q. Okay. Do you know how long you've had  
20 service with Comcast?

21 A. Since they bought out AT&T, whenever that  
22 was.

23 Q. And the Comcast service is in your name?

24 A. Yes.

25 Q. Okay. Do you know the exact name it says on



██████████  
April 09, 2019

1 the bills? Does it say ██████████? What does it say?

2 A. I don't know.

3 Q. But it's in your name. Are you the one who  
4 pays for the Comcast bill?

5 A. Yes.

6 Q. Okay. Do you separately pay for cable  
7 television?

8 A. No. It's a single package.

9 Q. Okay. So Comcast provides your cable and  
10 your Internet?

11 A. And phone.

12 Q. And are you still with Comcast?

13 A. Yes.

14 Q. Okay. So between August of 2016 and  
15 December of 2017, during periods of that time your son  
16 lived at the house, correct?

17 A. Yes.

18 Q. Did anybody else in that period of time live  
19 at the house? Obviously besides you and your wife.

20 A. Yes. I'm trying to -- I can't remember when  
21 he moved in, but my brother-in-law ██████████, he lived with  
22 us for about three and a half years.

23 Q. You have a sister --

24 A. Wife's --

25 Q. Oh, your wife's --

April 09, 2019

1 A. Brother.

2 Q. Brother. Okay. So give me the time frame  
3 of when he lived in the house.

4 A. They moved -- from, I believe it was maybe  
5 November of last year for about three and a half years  
6 before that.

7 Q. Oh, okay. So 2014 or '15 he may have moved  
8 in and lived all the way through November of 2018?

9 A. Yeah, maybe.

10 Q. Okay.

11 A. Latter part of maybe '14, I guess. Or '15.

12 Q. When he moved in where did he live? What  
13 room did he live in?

14 A. The guest bedroom.

15 Q. So bedroom number 1 on your chart?

16 A. Yes.

17 Q. And then during that time bedroom number 2  
18 your son was in?

19 A. Yes, when he was here.

20 Q. Okay. And his name, you said, was [REDACTED]

21 [REDACTED]?

22 A. Yes.

23 Q. Do you know where he works?

24 A. No, he -- he's a commercial plumber.  
25 Seattle, I think.

██████████  
April 09, 2019

1 Q. Do you know what company he works for?

2 A. Whoever they -- the union assigns him to  
3 work with. I have no idea who that might be.

4 Q. How old is Mr. ██████████?

5 A. Sixty -- I'd say 63 or '4.

6 Q. Have you ever talked to him about this  
7 lawsuit?

8 A. No.

9 Q. And other than Federal Way, do you have any  
10 other address information for him?

11 A. No. I don't know it.

12 Q. Does he have a middle name?

13 A. I don't know. I'm sure -- I don't know.

14 Q. Did he have -- during the time he lived in  
15 the house did he have a computer in his room?

16 A. No.

17 Q. Did he have a laptop or any kind of  
18 computer?

19 A. Let me expand -- he had a netbook that his  
20 son gave him for about the last six months that he  
21 lived in there. And that computer, or that laptop, or  
22 netbook, was never -- was not operable.

23 Q. How do you know it was not operable?

24 A. I looked at it I wound up fixing it up when  
25 he left.

██████████  
April 09, 2019

1 Q. Did Mr. ████████ have access to other  
2 computers that were in the home?

3 A. Yes.

4 Q. Okay. What computers did he have access to?

5 A. My desktop.

6 Q. Where was your desktop located?

7 A. In the front room.

8 Q. Okay. So was there a desk and sort of a  
9 computer setup in the front room?

10 A. Yes.

11 Q. And that desktop computer could search the  
12 Internet, could get access to the Internet?

13 A. Yes.

14 Q. Okay. What is the -- is there an  
15 identifying number for that computer?

16 A. Not that I'm aware of.

17 Q. Do you know if that computer's been produced  
18 in connection with this case? Was that given to your  
19 attorneys for production in this case?

20 A. Yes.

21 Q. It was. Were there any other computers that  
22 Mr. ████████ had access to while he was staying there?

23 A. No.

24 Q. Your son, does he have a computer in his  
25 room?

April 09, 2019

1 A. Yes.

2 Q. What kind of computer is that?

3 A. A generic.

4 Q. Is it a PC?

5 A. Yeah, it's a PC.

6 Q. Does it have access to the Internet?

7 A. Yes.

8 Q. Does he still have that in his room?

9 A. No.

10 Q. When --

11 A. We'll, he has a different computer,  
12 basically.

13 Q. Okay. So let me back up.

14 A. Okay.

15 Q. From the period of August 2016 through  
16 December 2017, did your son have a computer in his  
17 room?

18 A. There was a computer in his room, yes.

19 Q. And was that a desktop?

20 A. Yes.

21 Q. And it was a PC?

22 A. A PC.

23 Q. And it had access to the Internet?

24 A. Yes.

25 Q. Okay. And does that computer still exist?

April 09, 2019

1 A. I'm sure it does.

2 Q. Do you know where it is?

3 A. No.

4 Q. Well, why do you say you're sure it does?

5 A. It was a gaming computer, and I'm just --

6 you know, you're not going to throw that away.

7 Q. Okay. So do you know as you sit here today  
8 that still exists somewhere in the house?

9 A. No.

10 Q. It doesn't?

11 A. No.

12 Q. Okay. At some point it left the house?

13 A. Yes.

14 Q. How?

15 A. It was sold. And the computer he has now is  
16 a computer that we saved over the years for his  
17 Christmas and his birthday. I would buy components so  
18 eventually he would be able -- I would be able to put  
19 together a gaming computer for him. And that's the  
20 computer that he has.

21 Q. Your son is a video gamer, plays video  
22 games?

23 A. Yes.

24 Q. Okay. I want to go back to the computer

25 that he had for some time. And at some point it left

April 09, 2019

1 the house. How? Was it sold, was it taken --

2 A. Yes.

3 Q. Okay, it was sold. Do you know who it was  
4 sold to?

5 A. No.

6 Q. Do you know how it was sold?

7 A. I don't.

8 Q. How do you have knowledge that it was sold?  
9 How do you know that?

10 A. Well, I guess I don't for sure. He said,  
11 you know --

12 Q. That's what I'm saying. Your knowledge that  
13 it was sold is because your son told you he sold it.  
14 Correct?

15 A. Yeah. Well, yeah.

16 Q. Okay.

17 A. I guess.

18 Q. Do you remember when your son told you he  
19 sold that computer?

20 A. No, it's probably been -- I'm guessing it  
21 would be March or April of last year.

22 Q. Of 2018?

23 A. 2018.

24 Q. Okay. Okay.

25 A. Can I expound on that a little bit?

April 09, 2019

1 Q. Yes, please.

2 A. The reason I say that is that over the years  
3 that we were buying these components for a computer,  
4 they were only bought for -- as a Christmas gift or on  
5 his birthdays. And his birthday is in February. And  
6 that was the time that I bought the final parts for  
7 the computer to be put together.

8 Q. February of 2018 for his birthday you had  
9 assembled everything you needed to give him a new  
10 computer?

11 A. Yes. Over a period of about six or seven  
12 years. Six years or so. And I had assumed -- we were  
13 going to put -- I had assumed that he was going to put  
14 some of the components into the computer that he  
15 already had, but he chose to just save them until we  
16 had all the components.

17 Q. Okay. And so on his birthday in February  
18 2018 did you present him with this new computer?

19 A. No. The last components.

20 Q. Okay. And maybe I'm missing -- so you were  
21 assuming you'd gathered all these components and he'd  
22 put it into his existing computer, but he ended up not  
23 doing that?

24 A. Right. I bought a new case and -- as part  
25 of these parts that I was buying was a case, mother



April 09, 2019

1 case, motherboard, the video cards, the RAM, all those  
2 things were --

3 Q. So he ultimately took those components and  
4 put them into a different computer?

5 A. I put them into the computer.

6 Q. You did. Because he acquired a new  
7 computer?

8 A. No. I put them into --

9 Q. Oh, I see.

10 A. I built -- put the computer together for  
11 him.

12 Q. Okay.

13 A. And he sold the old one.

14 Q. So now you've taken all these components  
15 you've gathered, you made this new computer. When is  
16 he presented with this new computer for him to use?

17 A. That's why I say it was in -- about the  
18 April --

19 Q. March or April?

20 A. Yeah.

21 Q. Okay.

22 A. It was after he had been presented with the  
23 last components.

24 Q. And when you presented him with this new  
25 computer, did he still have the old computer?

April 09, 2019

1 A. At that time, yes.

2 Q. And so was it -- is it your understanding  
3 that based on your presenting him with this new  
4 computer, he decided, well, I don't need this old one,  
5 I'll sell it?

6 A. Yes.

7 Q. Is that how it worked? Okay. And this was  
8 in the 2018 period, correct?

9 A. Yes, I'm pretty -- yes.

10 Q. And this was after the lawsuit had been  
11 filed, correct?

12 A. Yes, I believe so.

13 Q. And so he was allowed to sell that computer  
14 and that computer was allowed to leave the house after  
15 the lawsuit was filed, correct?

16 MS. MCENTEE: Objection to the  
17 characterization of anyone being allowed to sell  
18 anything.

19 BY MR. BANDLOW:

20 Q. Did you have any discussion with your son  
21 about whether you should keep that computer?

22 A. No.

23 Q. You had no discussion about whether it  
24 should be held onto because there was a lawsuit  
25 pending?

April 09, 2019

1 A. No.

2 Q. Okay. Do you know who he sold that computer  
3 to?

4 A. No.

5 Q. I may have asked this. Do you know how he  
6 sold it? eBay? What did he do?

7 A. I wasn't involved in it.

8 Q. Okay. He just told you he was going to sell  
9 it and then one day it was gone?

10 A. He -- you know, he needed -- he doesn't  
11 work. He doesn't have any money. That's what, you  
12 know, he --

13 Q. Did he tell you he was selling it because he  
14 needed money?

15 A. No, not that I can remember.

16 Q. Did he tell you anything else about why he  
17 was selling it?

18 A. No.

19 Q. Did you preserve any of the data that was on  
20 it before it was sold?

21 A. No. I'm assuming -- well, just no.

22 Q. Do you know if he preserved any of the data  
23 that was on it before he sold it?

24 A. No. Well, I know that he transferred World  
25 of Warcraft files from there.

██████████  
April 09, 2019

1 Q. So he plays World of Warcraft, right?

2 A. Yes.

3 Q. Are there any other games that you know that  
4 he plays?

5 A. I don't know the names of them. But he  
6 plays other ones, and I don't know the names of them.  
7 There are -- well, I don't know if it will name them,  
8 but he will have -- I mean, there will be records of  
9 when they purchased. Go online to Steam or something  
10 like that and every once in a while they'll have a  
11 special on different games and --

12 Q. How do you know about Steam?

13 A. He has -- I have -- he only has basically  
14 two friends in the world. One of them lives here in  
15 West Seattle and the other one lives in Minnesota,  
16 moved to Minnesota. The main time that he is able to  
17 play games with them is in the late evening through  
18 the morning hours. And when they play games, you  
19 know, if -- ██████████ is the gentleman from Minnesota.  
20 They talk and they'll say, hey, there's a cool game or  
21 something that's cheap, and he'll want to buy that  
22 game so they can play.

23 Q. So you've helped him buy games on Steam  
24 sometimes?

25 A. Well, I -- yes, I have --

██████████  
April 09, 2019

1 Q. Do you know ██████████ last name, the friend in  
2 Minnesota, by any chance?

3 A. I know it. And I can see it, but I can't  
4 say it.

5 Q. What about -- you said he had another friend  
6 in West Seattle. Do you know that person's name?

7 A. ██████████

8 Q. ██████████

9 A. Yes.

10 Q. Do you have any other contact information  
11 for ██████████?

12 A. No.

13 Q. How do you know he's in West Seattle?

14 A. That's where he bought a home.

15 Q. How do you know he bought a home there?

16 A. I took my son to the home for visits  
17 every -- occasionally.

18 Q. Do you know the address?

19 A. No. I don't know. The farther away from  
20 Seattle I am, the better.

21 Q. Okay.

22 A. My son hears from ██████████ maybe once  
23 every month and a half or two.

24 Q. Does your son watch movies on his computer?  
25 Ever see him watching movies?

April 09, 2019

1 A. I haven't seen him watch movies, no.

2 Q. Does your son -- do you know your son's  
3 musical tastes?

4 A. Everything and anything.

5 Q. Do you know your son's favorite television  
6 shows?

7 A. I know he watches both MSNBC and Fox News.  
8 He likes to watch both sides to know what each side is  
9 thinking. And he watches The Five, whatever that is.  
10 And --

11 Q. Sitcoms, anything like that you can think of  
12 that he likes?

13 A. I don't -- usually -- I mean, the only ones  
14 that I knew about were like the animated -- Simpsons,  
15 he used to watch them. I don't think he does it  
16 anymore. I don't think he watches those kind of  
17 things anymore.

18 Q. Do you know what anime is? Japanese cartoon  
19 art?

20 A. I've -- I don't --

21 Q. Do you know if your son --

22 MS. McENTEE: And this is natural to talk  
23 over one another, but you've got let the witness  
24 actually answer the question.

25 BY MR. BANDLOW:

April 09, 2019

1 Q. Okay. I'm sorry to interrupt you. Do you  
2 know if your son is interested in anime?

3 A. I don't.

4 Q. You don't know, okay.

5 A. No.

6 Q. All right. So I want to go back to this  
7 computer. So the computer that was ultimately sold in  
8 March or April of 2018, that had existed in your son's  
9 bedroom for how many years prior to that being sold?

10 MS. MCENTEE: Objection, foundation.

11 BY MR. BANDLOW:

12 Q. Well, I'm not trying to actually go life  
13 history here. From August 2016 through December 2017,  
14 was that computer in the house? In your son's room?

15 A. Yes.

16 Q. Okay. That's all I'm trying to establish.  
17 So now there's a new computer in his room, correct?

18 A. Yes.

19 Q. And that computer still exists, correct?

20 A. I -- yes.

21 Q. Was that provided to your counsel to be  
22 produced in this case?

23 A. No, it was not.

24 Q. It's still sitting in the house?

25 A. It's still sitting in the house.

April 09, 2019

1 Q. Has it been searched for any of --

2 MS. McENTEE: Objection, foundation.

3 BY MR. BANDLOW:

4 Q. Have you ever searched through that  
5 computer?

6 A. I don't look at his computer.

7 Q. You never go look at his computer?

8 A. No.

9 Q. Have you ever asked him to search through  
10 that computer?

11 A. No. He's an adult. I don't.

12 Q. Okay.

13 A. I wouldn't snoop on his phone or --

14 Q. And that --

15 MS. McENTEE: Let him finish answering the  
16 question.

17 BY MR. BANDLOW:

18 Q. Go ahead. You want to finish?

19 A. I wouldn't -- he doesn't have a cell phone,  
20 but I wouldn't ask, snoop on anybody's cell phone.  
21 That's their private business. I don't -- he's an  
22 adult and, you know, I don't do that with my grand --  
23 my daughter, my granddaughter, my grandson.

24 Q. You've never asked him to search his  
25 computer for any of the works that are at issue in



April 09, 2019

1 this lawsuit, correct?

2 MS. McENTEE: Objection, asked and answered.

3 MR. BANDLOW: I never asked about the works  
4 in this lawsuit.

5 MS. McENTEE: You asked about a search  
6 generally. And he said no.

7 MR. BANDLOW: I've asked him if he asked his  
8 son to do this. This is a different question. So let  
9 me --

10 MS. McENTEE: Go right ahead, counsel.

11 BY MR. BANDLOW:

12 Q. Have you ever asked your son to search his  
13 computer for any Strike 3 works of any kind?

14 A. No.

15 Q. Okay. That's the question wanted to ask.  
16 Now, and that computer -- okay, we established it  
17 still exists in the house. That computer uses the  
18 wi-fi that's available in the home, correct?

19 A. No.

20 Q. How does it connect to the Internet?

21 A. I can only assume it doesn't. We have --  
22 the computers in the home generally have been hard  
23 connected. Hard wired. It has the capability of  
24 using the wi-fi.

25 Q. And the prior computer that was sold, that

April 09, 2019

1 had the capability of using the wi-fi, correct?

2 MS. McENTEE: Objection, foundation.

3 BY MR. BANDLOW:

4 Q. Well, did it?

5 MS. McENTEE: Objection, foundation.

6 MR. BANDLOW: I'm asking him to lay that

7 foundation.

8 BY MR. BANDLOW:

9 Q. Do you know if the prior computer --

10 MS. McENTEE: That's the foundation.

11 Q. -- could access the Internet?

12 MS. McENTEE: You can go ahead and answer.

13 A. No, I don't know.

14 BY MR. BANDLOW:

15 Q. You don't know one way or the other?

16 A. No.

17 Q. Do you know if the prior computer was hard

18 wired in?

19 A. Yes.

20 Q. And was it?

21 A. Yes.

22 Q. It was hard wired in?

23 A. Yes.

24 Q. So it was using -- through the hard wiring

25 it was using your Internet service, correct?

April 09, 2019

1 A. Yes.

2 Q. Okay. And the current computer, just to  
3 make sure I'm clear, do you know if that one is hard  
4 wired in?

5 A. Yes.

6 Q. It is hard wired in?

7 A. Yes.

8 Q. And it is using the home's Internet?

9 A. Yes.

10 Q. Okay. Did your son, for either of the two  
11 computers we've been talking about did your son ever  
12 request that those computers be hard wired in of you?

13 A. No.

14 Q. Did you ever have any conversations with him  
15 at all about whether he -- whether it be Internet or  
16 hard wired?

17 A. No.

18 Q. But you know it has the capability of being  
19 hard wired in that bedroom?

20 A. Yes.

21 Q. Okay. So then let me -- okay, let me back  
22 up here a little bit. During the period of 2016,  
23 August 2016 through December 2017, I know you have a  
24 lot of computers that you're fixing up, so I don't  
25 want to talk about one sitting over in a corner. I

██████████  
April 09, 2019

1 want to talk about computers that are in the house  
2 that are hooked up to the Internet and are functional  
3 with the Internet.

4 A. Okay.

5 Q. How many computers were there of those?

6 A. Two. Two permanently and on and off the  
7 Internet, many. I mean, when I'd work on them.

8 Q. So when you were working on a computer you  
9 could temporarily hook it up to the Internet if you  
10 wanted to?

11 A. If I needed to download files.

12 Q. At any point when you ever hooked up a  
13 computer temporarily to download files, did you ever  
14 go to BitTorrent?

15 A. I don't know if -- I can't remember if any  
16 of those were.

17 Q. I'll get back to that.

18 A. Okay.

19 Q. So I want to -- for purposes of this  
20 question right now, I don't want to talk about the  
21 ones that you might temporarily hook up to the  
22 Internet to do some stuff you need to do.

23 A. Okay.

24 Q. So during that period of August 2016 through  
25 December 2017 there was one computer in your son's

April 09, 2019

1 room that was hard wired in, correct?

2 A. Yes.

3 Q. Okay. There was a computer in the family --

4 A. Front.

5 Q. Front room that was hard wired in?

6 A. Yes.

7 Q. Okay. And anybody had access to that if  
8 they wanted to?

9 A. If they requested it, yes. They just didn't  
10 go jump on it.

11 Q. And those are the two you said were  
12 permanently in? Is that what you're referring to?

13 A. Yeah.

14 Q. Any other -- so no other computers were hard  
15 wired in in that time frame, right?

16 A. Other than the ones I'd be working on, no.

17 Q. Okay. No computers in your bedroom?

18 A. No.

19 Q. The second bedroom where the brother-in-law  
20 was staying, was there a computer hooked up in there?

21 A. Not during that time period.

22 Q. Not during that time period. Okay. Is  
23 there an outlet for an Ethernet line in that other  
24 bedroom if someone wanted to hook one up?

25 A. Yes. But there was not one during that time

April 09, 2019

1 frame.

2 Q. There was not, okay. I'm sorry, I may have  
3 forgotten. Did your brother-in-law have a laptop?

4 A. He had a netbook that was not functional.

5 Q. It didn't work. And are you aware that it  
6 ever had the capability of working during the time he  
7 was living there?

8 A. No, he couldn't start it up.

9 Q. Okay.

10 A. Had bad RAM.

11 Q. Okay. And during -- just to close the  
12 circle here, during the period of August 2016 to  
13 December 2017 did your son have a laptop, too?

14 A. No.

15 Q. So if he was on the computer he was on the  
16 desktop hard wired in in his room?

17 A. Yes.

18 Q. All right. Okay.

19 MR. BANDLOW: Do you guys have a sense of  
20 when you want to do a lunch break?

21 MS. MCENTEE: I was getting ready to ask  
22 him. How are you feeling? Do you want to take break  
23 now or do you want to go a little longer?

24 THE WITNESS: It's up to you.

25 MR. BANDLOW: I'm going to start marching

[REDACTED]  
April 09, 2019

1 UNITED STATES DISTRICT COURT )  
2 FOR THE WESTERN DISTRICT OF WASHINGTON )

3 I, Mark Hovila, CCR No. 2599, Certified  
4 Court Reporter, certify:

5 That the foregoing proceedings were taken  
6 before me at the time and place therein set forth, at  
7 which time the witness was put under oath by me;

8 That the testimony of the witness, the  
9 questions propounded, and all objections and  
10 statements made at the time of the examination were  
11 recorded stenographically by me and were thereafter  
12 transcribed;

13 That a review of the transcript by the  
14 deponent was requested;

15 That the foregoing is a true and correct  
16 transcript of my shorthand notes so taken.

17 I further certify that I am not a relative  
18 or employee of any attorney of the parties, nor  
19 financially interested in the action.

20 I declare under penalty of perjury under the  
21 laws of Washington that the foregoing is true and  
22 correct.

23 Dated this 19th day of April 2019.

24 

25 Mark Hovila, CCR No. 2599, CM